

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
                                )  
V.                            ) Docket No. 16-40031-TSH  
                                )  
1. JAMES E. LEVIN, and     )  
2. JACKLYN M. SUTCIVNI     )  
f/k/a JACQUELINE VACHON-JACKSON     )  
                                )  
Defendants.                  )

**ORDER ON EXCLUDABLE DELAY**

September \_\_\_, 2016

Magistrate Judge Katherine A. Robertson:

Upon consideration of the Assented-To Motion to Exclude Time Between August 25, 2016, the earliest date that one of the defendants appeared in court in this matter, and November 10, 2016, the date set for the initial status conference, pursuant to 18 U.S.C. § 3161(h)(7)(A) and Local Rule 112.2(a)(1) of the Local Rules of the United States District Court for the District of Massachusetts (2016) (D. \_\_), the Court finds as follows:

1. The defendant James Levin (“Levin”) appeared in front of Judge Hillman on August 25, 2016 for an initial appearance and arraignment. No orders regarding discovery or excludable delay were entered at that time, although the Levin has elected to participate in automatic discovery.
2. The defendant Jacklyn Sutcivni (“Sutcivni”) appeared in front of Judge Hillman on August 26, 2016 for an initial appearance and arraignment. During that proceeding, the defendant elected to participate in automatic discovery, and Judge Hillman verbally entered and order of excludable delay, but no written order issued.

3. The Court finds that the ends of justice served by excluding the time period from August 25, 2016 through and including November 10, 2016, the date set for the initial status conference, from the speedy trial clock for that purpose outweigh the best interests of the public and the defendant in a speedy trial pursuant to Local Rules 112.2(a) and (b), the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and Section 5(b)(7)(C)(iv) of the Plan for Prompt Disposition of Criminal Cases for the United States District Court for the District of Massachusetts.

Accordingly, the Court hereby grants the assented-to motion filed by the government and ORDERS that, pursuant to Local Rule 112.2(b), the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and Section 5(b)(7)(C)(iv) of the Plan for Prompt Disposition of Criminal Cases for the United States District Court for the District of Massachusetts, the time period from August 25, 2016 through and including November 10, 2016, the date set for the initial status conference, is excluded from the speedy trial clock and from the time within which the trial of the offenses charged in the indictment must commence.

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KATHERINE A. ROBERTSON  
UNITED STATES MAGISTRATE JUDGE